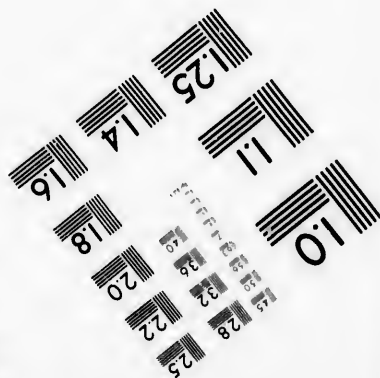
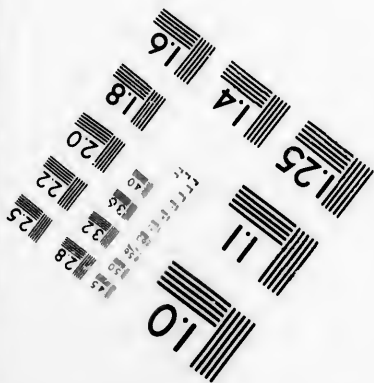
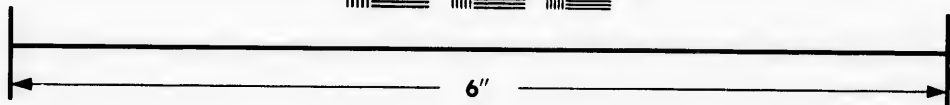
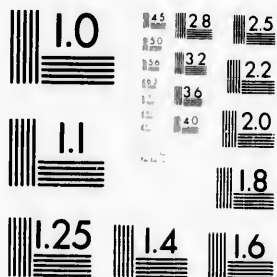


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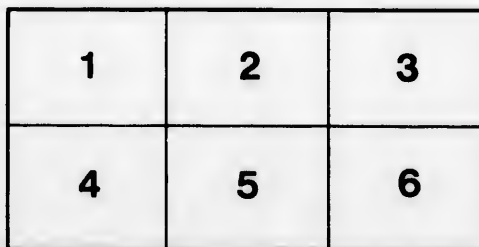
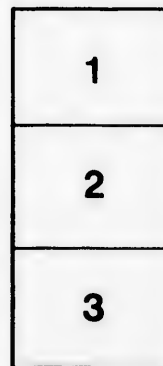
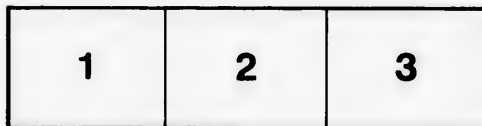
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# Hard Times in Ontario:

**A PRETTY STORY, CERTAINLY.**

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**Price, Ten Cents.**

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KINGSTON:  
PRINTED AT THE DAILY NEWS OFFICE.  
1872.



1911

The annexed pamphlet was circulated in 1872 in the hope that it would arouse attention to the appalling destruction by fire yearly occurring in the Crown forests of Ontario, as well as to the conditions of settlement in the Free Grant Townships.

Something, perhaps, in the mode of pressing the question, because no one likes to be alarmed,—something of popular unconcern for grievances, may have led to the disregard with which the pamphlet was received.

Since its issue a large emigration from the Free Grant Townships has taken place. Public opinion has been directed to the subject of emigration generally by the reference to its extent, in recent debates in the House of Commons. Investigation will show that no inconsiderable element in the exodus is furnished by the townships which it is the professed policy of the Government to colonize.

The writer admits that the subject mingles many considerations—some not unfavorable to this emigration, on the score of its advantage to another section of the Dominion, and of its benefit to the emigrant as well. There are also obvious (to a traveller in the Free Grant Territory) very many cases in which the locatees have made gross mistakes in their choice of locations.

There remain however the majority of cases in which the settler struggles against conditions the hardship of which is unequalled out of Ontario and Quebec.

In Michigan, Minnesota, Wisconsin, in Western Virginia, in every State of the Union, so far as the writer has been enabled to learn, the acquisition of a title to land entitles the buyer to the timber upon it. Without going abroad, the sale of timber has been a resource of enormous value to the farming community throughout Ontario, with the exception of the area subject to timber licenses.

The policy which allows a lumberman to cut timber where and in such manner as he pleases on a lot which a settler has chosen for his homestead can be best appreciated by those gentlemen in the Parliament of Ontario whose acquaintance with farming occupations enables them to form an opinion on the subject.

At most the license holder pays the Provin-

cial Treasury a duty on the which the settler would gladly pay. Should he abstain from the Treasury and he would in view of the gradual increase of this right to the s inalienable, inasmuch as advantage taken of his necessity to acquire control of his license.

The writer cannot withhold opinion upon the accession to liberty led to the enactment of the Act. In 1862 a committee of the Province of Canada recommended should be allowed to sell pine progress of clearing, and eight wards the recommendation was subject of legislation in this Province.

The subject of Forest Fire connected with the subject of the law for placing settlers in Territory in a position—as to equal to that of settlers in other Province, regard being had nance of the revenue from Thayne, an eminent expert in to timber, testified before a c Dominion House of Commons lowest estimate of the yearly timber in the Ottawa Valley a lions of dollars.

The prevention of fires, it submitted, may be promoted of a system of inspection for e

(a) The use of precautionary railway companies operating through wild lands; the use of smoke stacks; the removal of wood, and combustible material distance from the track; wire fences.

(b) The compulsory destruction of wood in lumbering operations removing it to lakes, or

(c) The compulsory use of for the manufacture of tar and products from pine and other



# SCRIPT.

ry a duty on the timber cut down  
settler would gladly be allowed to  
ould he abstain from cutting timber  
ry and he would eventually gain,  
the gradual increase in value. The  
his right to the settler should be  
, inasmuch as advantage would be  
s necessity to acquire a territorial  
his license.

er cannot withhold his congratula-  
the accession to liberal views which  
enactment of the Act chapter 4, 1880.  
committee of the Parliament of the  
of Canada recommended that settlers  
allowed to sell pine timber cut in  
clearing, and eighteen years after-  
recommendation was made the sub-  
sulation in this Province.

ject of Forest Fires is intimately  
with the subject of amendment of  
placing settlers in the Free Grant  
in a position—as to their rights—  
at of settlers in other parts of the  
regard being had to the mainte-  
the revenue from timber. Mr.  
eminent expert in matters relating  
testified before a committee of the  
House of Commons in 1878 that the  
hate of the yearly destruction of  
the Ottawa Valley alone is five mil-  
lars.

ention of fires, it is respectfully  
may be promoted by the adoption  
of inspection for establishing—  
se of precautionary expedients by  
panies operating lines running  
d lands; the use of bonnets upon  
ks; the removal of stumps, brush  
combustible material within a cer-  
e from the track; the erection of

ompulsory destruction of brush  
bering operations, by burning it,  
to lakes, or  
ompulsory use of portable kilns  
ufacture of tar and other valuable  
in pine and other brush wood, or

(d) The charge against the license holder of  
the damages from fire within his limits unless  
the same should arise from uncontrollable  
cause occurring from beyond his territory, or  
be traced to the unlawful act of some offender.  
—[The statute of Gloucester made tenants  
liable to their landlords for destruction by  
fire.

(e) The assessment upon a township or sec-  
tion of a township of the damages sustained  
by a settler from fire arising beyond his lot,  
unless when traced to the unlawful act of  
another upon evidence sufficient to convict  
the offender.—[A precedent for legislation in  
this direction will be found in the English law  
which gave the right to compensation from the  
hundred or parish for certain felonious inju-  
ries unless the offender was brought to justice  
and convicted.

The adoption of harsh penalties, it is hoped,  
may be avoided by the introduction of a sys-  
tem of inspection and courts of enquiry for a  
few years. Much may be done by giving the  
settlers that interest in the preservation of  
timber upon their holdings which only the  
sense of property will procure. The utiliza-  
tion of the waste incidental to lumbering may  
be cheaply experimented at public expense  
with the kiln of Matthieu, by means of which  
waste wood and pine leaves are carbonized  
with resultant commercial products—tar and  
pyroligneous acid—more than sufficiently val-  
uable to defray the expenses.

It is perhaps unnecessary to disclaim any  
political purpose for this publication. Our  
Crown Lands policy is traditional, and is part  
of the stock-in-trade taken over in 1867. For  
“all in authority” the writer has the highest  
respect and full confidence in their patriotism,  
even should it be sluggish in its action; and  
while not abating anything advanced for the  
cause he has espoused, desires that his argu-  
ment shall be considered impersonal. The  
reforms advocated will be adopted beyond  
doubt. It will be impossible to resist their  
exigency a few years hence. It will be wisdom  
to adopt them NOW.

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# HARD TIMES IN ONTARIO.

**A Pretty Story, Certaluly.**

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*[Entered according to Act of Parliament of Canada, in the Year 1872, by JAMES SHANNON  
in the Office of the Minister of Agriculture.]*

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KINGSTON:  
PRINTED AT THE DAILY NEWS OFFICE.  
1872.

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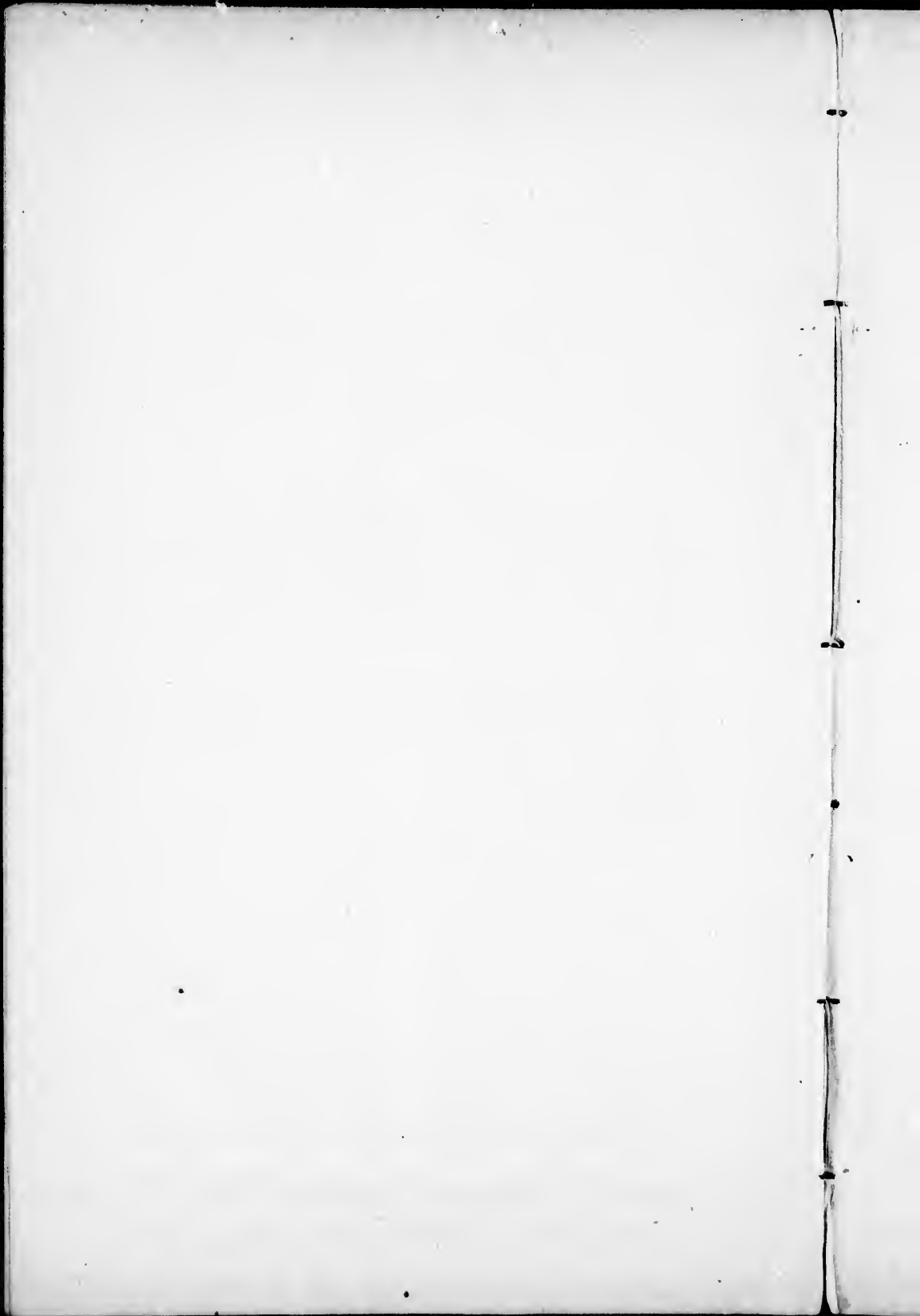
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## PREFACE.

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I am not romantic. I like facts. A leading Canadian Politician says there is a proverb: Men may lie, but circumstances cannot. Though a proverb be the wisdom of many, I say that circumstances do often lie. Witness—Telegrams, our Political Correspondent, our Liberal Land Policy, and Castles in the Air. If facts could not lie, hypocrisy would be impossible, and there would be no such epithets as Sham or Humbug.



## HARD TIMES IN ONTARIO.

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### CHAPTER I.

“There was a hardness in his cheek,  
There was a hardness in his eye,  
As if the man had fixed his face,  
In many a solitary place,  
Against the wind and open sky!”

You see a man with a fair quantity of flesh about him, no spare timber however, muscular, wiry; poorly, not meanly clad; also he has a pair of shoe-packs, warm mittens, a cheap fur cap. In his face, a sober, serious look. The hue of the skin is ashy, the eyes dull with never a glimmer of earnestness or fire. A very ordinary looking man, 5 feet 6 inches, 140 lbs. weight. He will tell you nothing but facts, speaking slowly, and unconscious that there is anything remarkable in the facts. Let us hear what they are:

“Ten years ago I squatted on the east half of lot — in the — concession of ——. The lot was wild. I had heard that somebody had entered his name in the Crown Land office for the lot, but folks told me to go on and clear, and that nobody could buy the lot over me. I went to the office in — and offered to pay a few dollars I had saved by me as a first payment, but the agent told me the survey wasn't settled, and he couldn't take the money. He said John Smith had entered for the lot and I must get a quit-claim from him. John Smith, I said, had never been heard of in them parts. The agent said I must get affidavits to show that I was the first settler. I went hum and got two neighbours to come to town and swear that I had done the first clearing on the lot. The agent took

the affidavit in writin, and put it among his papers and entered my name for the lot. I paid the taxes every year since, reglar, and I've got the receipts. Some time afterwards the lot was "limited" and —— lumbered on't in '65. I went again to make a payment on the lot, but the survey wasn't right, and the agent wouldn't sell. I bought the timber from the limit-holder a few years. I've paid him altogether fifty dollars for ground rent for the timber. There's only ninety acres in the lot, great part on't rocks, but what's good cant be beat.

"I've had a power of sickness. I've buried two children. The doctor's bills I've paid would buy a good farm. Is the country healthy? Yes. I've never had a days sickness myself, but my wife's been bedridden nigh seven year.

"After I went to the lot I got a notice when the assessor come round that there was ten dollars back taxes on the lot. Other people got such like notices but said they didn't amount to anything. No one knew anyone who'd ever lived on the lot, and I've paid my taxes reglar.

"They've advertised the lot for sale for taxes. There's over fifty dollars back taxes made out of them ten. I went to the Council, and they said they'd withdraw the lot. I've come to the County Treasurer, and he says it's for sale next Friday.

"The Crown Lands wants back rent now the survey's made right, because the lot's clergy land. I have got a good log barn, a log house, two cows, a yoke of young steers coming on, and I've the loan of a yoke to break, and I've seven ewes. Off one of them I sheared wool  $11\frac{1}{2}$  inches long. I've got most forty acres cleared, and I don't owe anything I cant pay. I want to get a deed for the land, and I want the taxes settled somehow, and they tell me I'll have to buy the limits from the lumberman for three years after the land's paid for. But I suppose I'll get the land some time."

My dear fellow, I thought, how you do lie. How all the facts about you lie. You live in a country of free schools, but your young ones haven't seen the inside of one for more than three months in a year during the past three years. That's all



the schooling has been in your neighbourhood. It's two miles from where you live to the school house. There are twenty families near you within a circle whose circumference is about ten miles. You don't hear a preacher more than once in two months. What a pity you aint a heathen outright. You pay taxes to support our excellent municipal institutions. The taxes you do pay are never expended in your part of the township. It's too confounded poor, you know. Your township like many others has a considerable quantity of non-resident land. Every sixth year or so a haul is made by the sale of this land for taxes. The non-resident land fund is the legitimate prize of that part of the township which elects the council, according to

—the simple plan  
That they should get who have the power,  
And they should keep who can.

You're in a part of the township where you've no business to be. Modern civilization's got no respect for you, because you're one of a minority. There's no court framed to supervise the working of our excellent municipal institutions. If in ten years your section has paid \$1,000 dollars taxes, out of which scarcely \$100 have been returned to it directly or indirectly, it would be preposterous to assume that you should grumble about the misappropriation of the \$900. You are a consenting party to it. If you go to the Council, they'll say you've "come from beyond sundown," and some prosperous fellow in the pride of his heart will tell, how "when he was out your way hunting he tramped about all day without being able to see anything, till at last he spied a squirrel on top of a rock knawing at what he s'posed and what the squirrel s'posed was a nut, but on getting a little nigher, darned if it wasn't a little round stone the squirrel was knawing, and the tears were rollin' down its cheeks. He left." You see what a funny thing poverty is. The taxes you were never liable for have been compounded against you; ten dollars have become fifty dollars in ten years. What if the arithmetic of the County Treasurer lies, you are too confounded poor, you know. If you sue, it must be *in forma pauperis*.

Do you know what that means? Don't know the meaning of the word *pauper*? "No." Did you ever beg?

The man looks insulted and thinks I am making game of him.

You see you are a positive lie. Suppose somebody does buy your land at the tax sale, you look healthy, and a man who can handle an axe and break oxen and boil potash like you, need never starve in this country. Oh! my benighted fellow countryman, why don't you read the land advertisement of the Central Pacific Railway? The capital required to rid your farm from the incumbrance of back taxes, the incumbrance of back rents, the incumbrance of the limit-holder, would settle you comfortably in the Western States. Why don't you read the Chancery Reports? You would learn from them that equity can't unsettle the misfortune that has been settled upon you; and that if you've made a hard bargain with the Powers in High Places, it is not the province of a Court of Justice to unmake a hard bargain. You must abide by it.

Well, you say, asserting something of a man's dignity, a man's scorn of pity and patronage when his hand is hard and his stomach sound, you aint so bad off, after all. You get plenty to eat. Of what? You raise some rye and buckwheat, some 'taties, and fatten a couple of hogs every year. Slap-jacks for breakfast and supper, rye bread when you want it, and pork always. 'Taties the year round. The old 'ooman makes you a gritty syrup of sand, water, maple sugar, and dried berries, which you think nice. Of course it is. The sand keeps worms out of the intestinal canal. The sugar is carboraceous food, helps to repair the waste of fat you undergo when sweating over the potash-kettle. The berries act as a condiment to promote the flow of the digesting juices. Philosophically speaking, you are a well fed biped. How it would delight John Stuart Mill to see you eat your rye bread and slap-jacks. What an admirable lesson you offer to the stomachic rebellion of the English laborer who scorns all bread not of the fat of the kidneys of wheat.

You say you've seen Hard Times. You never drink any more than's good for you. If you had a CHANCE you could get along, you think.

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## CHAPTER II.

It's evident the man isn't cute. It takes a mighty sight of cuteness to get along in the backwoods. A man must be handy and strong with his axe, clever with saw, augur, and hammer, deft at hitching and hauling, cheery and wilful with oxen, smart with his plough among roots and stones and around stumps,—tireless! He hardly knows what fun is. His comfort within doors is coarse, kindly, rude. If his nature consort not with the nature around him he must go to school to her. He receives scant wage for all his labor. In fact he never gets his wages in full. By the time he has his farm cleared and everything snug about him, it is time to die that he may get rid of the ills that flesh is heir to. He has all his life long been an investor. He takes land worth nothing as land to him,—for the state in which he finds it is, that it is not fit to yield him anything without long and laborious preparation,—and he makes it worth to the country forty dollars an acre. The land never gives him back such return for his labour as he could get if he gave to days-work the same industry and thrift. He counts upon this, and so shapes his course. His end is to provide for himself a home and independence. This last is what is nighest the farmer's heart:—to owe no man anything, to follow his own liking within the bounds of reason, to be able “to fear the face of no man,” to bring up his children in like fashion. His love of home is subordinate to his love of independence. He is generally careless of the mere surroundings of trees, fields, cattle, and will sell everything or anything about him the moment he thinks he can gain by so doing.

The pioneer colonist is an adventurer, and to keep him “in tune” he must have fair play. Too proud to be patronized, too hard-worked and too much alone to be noisy about politics,

his condition is one not to be estimated but on inspection. The tyrannous administration of the public land operates for the most part on men who have but little to lose and everything to gain. Ye rulers, is this your reason why

—"Fraud, and force, and iron will,  
Oppress the weak and helpless still?"

I said I wasn't romantic. To sleep in a backwoodsman's shanty, wrapped in buffalo robes, horse blankets and all sorts of textile fabrics that can be got, to feel the frosty air through chink and cranny on all sides making its way to the fiery atmosphere encircling the red-hot stove, to eat of his simple fare of potatoes and buckwheat cakes, well greased from the bowl of hot lard in which swim scraps of fat pork, and wash down the unctuous food with tea browned by saleratus and maple sugar; to see the grim cheerfulness of the man when, long before day break, he gets up, fires up, goes out to the oxen; and having fed them, makes the forest ring with the strokes of his axe on the wood for the day's firing; to see how the smoke from the stove-pipe hugs the little clearing walled in by trees, rising slowly as the day comes on;—to see the tireless patience of the woman as she tries to make the scant things neat and snug within for that brave fellow without,—these are enough to knock romance out of a man. To hear how he speaks of the Crown Land Department; how he wishes he could sell out and go west; how he regrets that he had ever come into the woods; how some man has chiselled him out of this or that; it's enough to knock patriotism out of a man.

A famous book about the misfortunes of a pauper baby set all Christendom by the ears. The keen perceptive sympathies of the writer marked him a fit man to inspect the condition of the Coolies in British Guiana, and report thereon. What would the world say if the author of "Ginx's Baby" were to set before it the state of the Ontario pioneer Colonists? Of the uncertainty and suspense of their titles? Of the miseries of sickness borne scores of miles distant from aid, of the enormous expense of bringing the necessaries of life to points remote from the centres of supply, of the want of schools and of everything

like religious instruction or ministrations, in a civilized Christian land?

What would the world say of the attempts of *hundreds* of Colonists to make settlements on Crown Lands being baffled by the affidavits of lumbermen that the lands were unfit for settlement? What would it say if it knew the facts of the hundreds of cases remaining undecided by the Crown Lands Department from year to year, of the patents withheld on flimsy pretexts? What would it say if it knew that in consequence of the settler being excluded from competition with the lumberman in the purchase of "limits," hundreds of settlers, having found "no chance to live" in the country, have abandoned even "free grant locations," and have left Ontario for the Western States?

O public, advertise as you will, the Statute Book and your Courts, the testimony of the backwoodsman, give your advertisements the lie.

---

### CHAPTER III.

Two suits brought by squatters for the recovery of hay cut and harvested by them, of which they were, as they thought, wrongfully deprived by holders of timber licenses, are reported in the 20th volume of the Reports of the Court of Common Pleas for this Province. In the suit of McDonald against Turner, it was shown that the piece of land upon which the hay was cut was a beaver meadow on lots 8, 9, and 10, 3rd concession of Hagarty, Nipissing District. About ten tons were cut by McDonald, stacked and a rail fence put around it. Turner took away the hay, and successfully resisted any claim for its value on the ground that his timber license gave him the right to exclusive possession of these lots, and that McDonald had not shown any title or right to possession. The judge in quoting the law shows that the licensee's right is not to interfere with any one settling under lawful authority or title, as to whom it is provided "that they shall not in any way be inter-

rupted *in clearing or cultivating* by the said licentiate or any one acting for him or by his permission."

In the case of Graham against Heenan :—

"It appeared there was a clearing on certain limits with a barn upon it. A witness proved that he worked on the clearing for Graham in 1867, who had stock on it and got the hay crop that year. In 1868 men were also employed by Graham to cut hay; some six or seven tons were saved and put into the barn. In September, 1868, Graham sent to remove the hay, and was prevented by Heenan's men, and the hay was kept and used by Heenan, who had the timber license during the previous year, but had not at this time got it renewed. That Graham had bought a quantity of chattels on the farm belonging to a former claimant or squatter for \$1,600. That "a discussion or treaty was spoken of in the Spring of 1868 between the said former claimant or squatter and Heenan respecting the purchase of the squatter's interest in the farm, and writings were prepared but never executed, and nothing definite either said or done." The Judge says: "I can find nothing in the evidence showing the origin of the clearing. All that appears is that Graham in the summer of 1867 took a crop of hay off it, and again in 1868 cut the hay in dispute here and put it into the barn spoken of. Nor can I see distinctly any proof of cultivation by Graham of the land, nor anything to indicate that it was other than the natural marsh or beaver meadow grass. *A witness does say it was part timothy and part clover.* By the document put in and evidence on Graham's side, the alleged clearing was certainly on Heenan's limits; and had any of the licenses proved by Heenan covered the month of September, 1868, I should at once decide against Graham's right to hay made from the natural grass of the limits." The Judge however did decide for Heenan on the ground that if he had not the license in September, 1868, he was at least entitled to it. And then the Judge says: "Graham's case fails: *that such should be the result, cannot, on this evidence, be a matter of regret.*"

Blackstone (Commentaries, Book 3, p. 212), says: "It hath been said that by the common law and custom of England the poor are allowed to enter and glean upon another's ground after the harvest without being guilty of trespass, which *humane provision* seems borrowed from the Mosaical Law." Leviticus 19ch. 9v., and 23 ch. 22 v. Deuteronomy 24 ch. 19v. His editor Chitty, however, states: "*Two actions* of trespass have been brought in the *common pleas* against gleaners, with an intent to try the general question, viz., whether such a right existed; in the first, the defendant pleaded that he being a poor, necessitous, and indigent person, entered the plaintiff's close to glean; in the second, the defendant's plea was as before, with the addition that he was an inhabitant legally settled within the parish; to the plea in each case there was a general demurrer. Judge Gould delivered a learned judgment in favour of gleaning, but the other three judges were clearly of opinion that the claim had no foundation in law; that the only authority to support it was an extrajudicial dictum of Lord Hale; that it was a practice incompatible with the exclusive enjoyment of property, and was productive of vagrancy and many mischievous consequences.

In Graham's case against Heenan it is possible that the facts were not fully brought before the Court, or that there were facts presented which warranted the expression with which the judge closed his judgment. But from the report itself it is fair to assume that Heenan knew that Graham cut the hay in 1867, and that he also knew that Graham removed it or otherwise dealt with it as his own. The report states that there was a discussion or treaty in the following year respecting the purchase of the squatter's right, if right he had, to which Heenan was a party. There can be no doubt, therefore, that Heenan knew that a claim was set up to the clearing and its produce. It does not appear that he denied any right to such claim. It does not appear that he gave notice to Graham that if he cut the hay he would lose it. Knowing that Graham had cut the hay in 1867, he *ought* to have supposed he would cut it in 1868. He

therefore permitted Graham to cut it in 1868 and to put it in the barn. He then appropriated without compensation, or offer of pay, Graham's labor (for the report is silent as to this, and it may be assumed no offer was made, as it might have affected Heenan's defence.) So far, however warranted by law, the judgment in effect makes a Wrong the exercise of a Right. It is important to the squatter in many particulars. It fully and plainly informs him that the severity of English law, which stamps as a *vagrant* the man who tries to win bread by saving what others are compelled to leave for waste,—that the like severity is sanctioned by the law of Ontario. In the Province of Quebec, "if the Crown have not otherwise disposed of it, the grass upon the beaches of the River St. Lawrence belongs by right of occupancy to him who cuts it;" also, "a mere possessor acquires the fruits" of the earth "in the case of his possession being in good faith," and the possession ceases to be in good faith "only from the moment that the defects in his title are made known to him *by proceedings at law.*" An English law-writer was fain to find a legal ground for the poor labor of the gleaner, and called the supposed right a *humane provision*, and referred its origin to the law of God. If conscience cannot decide for us what was the Right in Graham's case, we may find some agreement at least with our feelings in the law of Quebec bearing upon that Right;—and in the tender words wherewith the great Blackstone would have sanctioned the petty trespass of the poor gleaner we may animate such feelings against the unkindliness that rings in the judicial sentence—*Graham's case fails: that such should be the result, cannot, on this evidence, be a matter of regret.*" Forsooth—

"By no weak pity might the gods be moved."

In McDonald's case there is not the same array of facts as in that of Graham. The claimant wins our sympathy by the very brevity of the story. The beaver meadow was in the Township of Hagarty, in the very heart of "the forest primeval," many days' journey from Peterboro, where the case was tried. The man cut ten tons of hay and put a rail fence around the stack. His labor, no doubt a week's hard labor, was taken from him



by a man holding a timber-license over the lots where the hay was cut. No doubt, also, McDonald thought he was deeply wronged, and that he would get full redress in a court of law. The jury gave him a verdict for \$100, but the Court gave the leave required to enter a verdict for the limit-holder on the law of the case, and the man lost his hay, his time in seeking pay for it, and two bills of costs into the bargain. After this, if the man had a spark of the hatred of oppression that has distinguished many of his name he has put broad leagues between him and the region of Ontario timber-limits *and the grab game* forever.

In this case the law is laid down in terms of which all settlers upon land covered by timber-licenses will do well to take heed. A receipt for payment of a part of the purchase money of Crown Land will not enable a purchaser to bring a suit for trespass by wrong-doer. Chief Justice Draper said he would have been glad to decide otherwise, "consistent with the moral justice of the case." Chief Justice Robinson on the same point, differed somewhat from Chief Justice Draper, leaning more to the side of the claimant under the receipt. Looking at these cases, what is the position of the settler who has not his patent? The iron tyranny that is begot by excluding the settler from competition with the license-holder in the production of timber, will not stop at the assertion of such claims as those put forth by Heenan and Turner. It might be thought sufficient to trust to time, to the good sense and human love of justice among Canadians, for wiser laws and broader freedom; but it needs no reference to historical books to show that monopolists are always exacting, that the tyranny of class-interests is always aggressive. The right of timber licensees to exclusive possession is plainly paramount to that of the settler under purchase from the Crown. The settler is only "not to be in any way interrupted in clearing or cultivating." He has not within the strict letter of the law the least right to pasture his cattle beyond his clearing, or to cut beaver meadow hay. Even where the hay in Graham's case was said by a witness to be "part timothy and part clover," the judge said: "Nor can I

see distinctly any proof of cultivation by Graham of the land, nor anything to indicate that it was other than the natural marsh or beaver meadow grass." Plainly, if hay grown on a "clearing," "part timothy and part clover," cut, raked, winnowed, put up in cocks, and hauled to a barn, is not a product of various works of cultivation, then the pasturing of cattle is much less a work of cultivation. Although it is not customary to call a "beaver meadow" a "clearing," it is quite evident that the Courts will *not* confound the labours of the pioneer settler with the wonderful works of the animal that adorns the National Escutcheon. The mysterious operations of an animal instinct have wrought the will of Him who

"Causeth the grass to grow for the cattle,—and herb for the service of man :  
That he may bring forth food out of the earth."

To these fertile meads "man goeth forth to his work and to his labor until the evening." Anon comes the limit-holder against whom the prophet Isaiah had he lived to see this day, would take up his scroll and say :

—"Ye swallow up the vineyard : the spoil of the poor is in your houses."

And he might liken the limit-holder in his grasping ambition for lumber territory and his jealousy of all who stand in his way, to the King of Assyria whom God would punish—

For he saith—

"By the strength of mine hand I have done it,—and by my wisdom : for I am prudent :  
"And I have removed the bounds of the people,—and have robbed their treasures,—  
"And I have put down the inhabitants like a valiant man :  
"And my hand hath found as a nest, the riches of the people :  
"And as one gathereth eggs that are left, have I gathered all the earth ;  
"And there was none that moved the wing, or opened the mouth, or peeped.  
"Shall the axe boast itself against him that heweth therewith ?

\* \* \* \* \*  
"Therefore shall the Lord, the Lord of Hosts, send among his fat ones leanness ;  
"And under his glory he shall kindle a burning—like the burning of a fire,  
"And the light of Israel shall be for a fire,—and his Holy One for a flame :  
"And it shall burn and devour his thorns—and his briars in one day ;  
"And shall consume the glory of his forest and of his fruitful field—both soul and body ;  
"And they shall be as when a standard bearer fainteth,  
"And the rest of the trees of his forest shall be few,—that a child may count them.

The historical fact has supplemented the prophetic warning. A child may number the cedars where once was the forest of Lebanon. The use of this quotation from the Bible may be excused for the reason of its terrible suggestiveness. The selfishness of the Few is ever the enemy of the Freedom of the

Many ; but when the Lord rebukes selfishness, it is with His Red Right Hand.

It has been stated that the timber licensees pay no taxes. In many cases three-fourths of the township area is "limited" and exempt from taxation. There are townships whose municipal existence dates twenty years back, wherein thirty to forty square miles of "limited" land yield no taxes. A comparison of the Census of 1871 with that of 1860 will show that in such townships the population has decreased.

Years ago the position of the squatter was more tolerable than now. The increasing value of timber has directed legislation in the abridgement of his privileges. The rights of the settler have also been abridged. The issue of the patent for his land is delayed for a longer period than formerly, to enable the lumberman to strip the lot of its timber. At the rate of legislative advance in the protection of the lumberman, there has been a corresponding retrograde movement towards diminishing the rights of the settler.

Before 1870 all timber on road allowances was vested in the township municipalities. The sale of this timber would go far to pay the cost of building roads.

In 1870 an action was brought by the Corporation of the Township of Barrie against Gillies & McLaren, lumbermen, for the value of a large quantity of timber trees cut on the allowances marked out for roads on the plan of the township. The Township of Barrie was surveyed in 1856. It is situated about seventy miles north of the Bay of Quinte. The Addington Colonization road, which leads from a point north of Napanee to the Madawaska River, runs along the western boundary of the township. By the offer of free grant lands and other indications of a liberal policy to settlers, many were induced to settle in this remote region. The Township is so much cut up by lakes that it was necessary to lay out roads around the lake shores in addition to the customary concession and side lines.

The Township passed a by-law for the protection of the timber on these road allowances, and after its passage and with

notice of it, Gillies & McLaren cut 2,770 trees on the road allowances, of the value of \$2,297. They refused to pay the Corporation for the timber, and an action was brought for its recovery.

The Court decided in favour of the Corporation.

The judgment had hardly been given when "an Act relative to Government road allowances and the granting of Crown timber licenses therefor" was introduced to the legislature. It was brought in hastily, a few days before the close of the session, and passed hastily, without remark. The legislature had been occupied with the discussion of a scheme for the division of the surplus funds of the Province among the Municipalities, and members may be fairly supposed to have overlooked the loss this Act would work for the poor backwoods townships, in prospect of the large gains to be won for more populous communities by a division of the surplus. The act is retrospective and prospective. It sweeps away all right to timber on road allowances which the Court, in its judgment against Gillies & McLaren, declared had vested in the Municipalities. It enacts that all Government road allowances "heretofore granted or which may hereafter be granted, shall be deemed and taken to be and to have been ungranted lands of the Crown."

The authority of municipal councils to deal with municipal property is destroyed, and the control of the revenue which might be derived from the sale of the timber on road allowances is taken away. Upon compliance with certain requirements, a municipality is to be paid two per cent of the dues received by Her Majesty in respect of the timber and saw-logs cut in the township. Until the repeal of the law it behooves all township municipalities in which there is any timber on the road allowances to pass by-laws for its protection.

The Act was infamously suggested. The Commissioner of Crown Lands had been, it is said, counsel in the suit. There are not wanting instances where lawyers have taken briefs as party advocates, but in matters between the Crown and people the long-robed profession has been the most distinguished of all

in the defence of popular liberties. The law as it stood gave to the townships the right to sell the timber to whom they would. The law as it is now reverts that right in the Crown that it may be exercised for the benefit of grasping monopolists. The instructions of a brief, it might be supposed, would in this country have never been brought into the Legislature by a Minister of the Crown. Alas! there is no bound to the energies of a spirit prompted by caprice or prejudice. Let us hope, however, that the Provincial Assembly is not lost to shame and virtue, and that there is a limit beyond which it will not go in the prostitution of its functions.

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#### CHAPTER IV.

If you've any friends, customers, relatives, connexions of any sort, in the lumberin' line, you needn't SWEAR. It's no argument I tell you. I'll give you a variety of cases where God and JUSTICE have had no hand in the hard lines you've set around the bush-whackers.

Here's a lot of people, mostly in the rear of what you might call old townships, settled on rough land. You've built no "Colonization Roads" for them. They've done that work in a rude way at their own cost. Twenty years ago—ten years ago—when a man bought land and settled and got his patent, he got all the timber. If he paid by instalments even, the lumbermen were not then so greedy, and he generally made the timber pay for the land. If he'd a lot of boys or a little money saved, he was lucky, make quick work with his payments and got his deed. But if he hadn't the money saved, or the boys didn't get to be some help before Stephen Richards got into the Crown Lands, why,—he lost his timber. No matter how big his clearing or what his improvements, he hadn't paid up for his land. Even if he got scared and paid up somehow, he couldn't get his patent for three years, and the limit-holder, knowing his license would soon run out, came and cleared off the timber needed for barns and fences. I can name a township where the lumberers took every stick of cedar from the

settlers—left scarce a rail cut in the whole township. Here's these hundreds of people who owe a big pile to the Crown Lands. Most of it's back rents on Clergy land and interest. You've sold millions of acres to speculating companies for ten cents an acre—fifty cents an acre. You've given away, or tried to give away tens of thousands of acres free gratis. You're grinding these hundreds of actual settlers on one side of the house, and on the other you're advertising and blowing away with all the power of the Agriculture Department that you give land for nothing, and that there is no country in the world where a man has such a CHANCE as in Ontario.

It's a big LIE, I tell you. A man has no CHANCE at all here. Up west he's got no stones to bother him ; no clearing, logging, burning to do ; no stumps to break his tackle or his plough. He can set to work at once on *a farm* ; he hasn't to *make* one ; and if has bad luck two years hand-runnin' it's no worse than it is here, and the third year he has a crop that makes up for it all. If he gets into a woody country and buys, he owns whatever timber's on the land. It's his and he has no dues to pay. He's got some CHANCE to get along. In Canada his only CHANCE is in the timber, and that's taken from him, and he can't buy it if he wants to. The big men that rule the country can get whole townships for themselves and their friends, but a poor man has no right to buy the timber on his own lot and make something out of it to pay for the feed of his team over winter. If he cuts marsh hay on a wild Crown Land lot, the man who owns a limit takes his labor and the stuff that any man that calls himself a man would 'most give for the cuttin'. What would they think in the States of limitin' the hay on a prairie ? If you settle here on a pretty good lot there's a big block near you limited. It may be rough, but there's generally enough good land on every two hundred acres to encourage a man to settle if he wasn't coaxed off fifty miles further by the reports of good land in the Free Grants. And so he moves on. You and your few neighbours pay all the taxes for building roads. The "limited" land pays none. You've no hope of the township ever coming to anything. The Government scatters the

few emigrants that do settle all over the country, buries them here and there in the wilderness for the lumbermen to pick their bones cheap. Nobody'll ever hear of them. If they got enough rough land to make up a farm, and an even chance with the lumbermen to take the pine off by paying Crown dues, and if the Government wouldn't open up any more tracts until there was something like settlements that could help to build roads and keep up schools and get churches in these townships, a man would have some CHANCE to live. *But I tell you it's a Fight. Fightin' fire out of your clearin' for weeks together, fightin' for your Rights you don't get, workin' the very life out of yourself for a Chance to live, and you don't get a Chance after all!*

In the name of God, O Public, give the man a CHANCE to live. He's the Peer of the best among you, and he doesn't ask any more of you than a Chance to get the better of Hard Times.

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#### CHAPTER V.

"But when I reached one dying autumn tide  
My uncle's dwelling near the forest side,  
And saw the land so scanty and so bare,  
And all the hard things men contend with there,  
A little and unworthy land it seemed,"

Over a large part of Ontario the economics of farm life are yearly becoming more complex. Given a soil of virgin fertility and a market for its fruits, the lot of the cultivator is the most blest under Heaven. But when incessant cropping without manure exhausts the soil; when the markets team with the produce from cheaper and more fertile lands brought into competition with produce of land that has become unfertile through wasteful cultivation and costly through the growth of population, the lot of the cultivator of worn-out land becomes irksome. The simplicity of the life of the pioneer colonist has given place to one of costly expense; emulation of extravagance has brought its burden of debt; and although there are not wanting instances of successful agriculture upon worn-out land, it has come to this in Ontario that really one-third of the freeholds in old settlements are mortgaged for one-third of their value.

Depopulation has in many parts set in. One would suppose that where the necessity for more careful cultivation is indicated there would be a division of holdings, and that this cause, operating with the abolition of primogeniture, would lead to the extensive creation of small farms. It is not so, however. The holder of a small farm is ambitious to rival his wealthier neighbor in income and expenditure. He sells his little farm, —the savings of years,—and betakes himself to some part of the Province where he can get a large farm, or, what is more frequently the case, he goes to the Western States.

It is folly to deny that this is the case. The growth of this Province in population and wealth does not disprove the fact, —which can be attested by every man having a moderate acquaintance with people in the rural districts, that there is a not inconsiderable emigration westward every year from the old townships, chiefly of small farmers, and of younger sons who, rather than accept a fraction of the paternal acres, choose to carve out for themselves a home and independence elsewhere.

It is not with this fact, which we are powerless to check, but with its consequence that we have to deal. There is yearly growing upon us, with larger farms, a want of hands to till them. Machinery is supplying the want in some degree, but if we be led thereby to believe that we can do without the farm laborer, the result in the end will be disastrous. We shall be crying out for help, when there will be none to help us. The labor now required in the old townships is skilled farm labor, and this is now the most difficult to procure. Difficult as it is now, it is yearly becoming more so.

Visit any section ten miles square in the north of England or south of Scotland, and the laborers will be found better housed than the farmers in the new townships of Ontario, as well housed as many in the old. Good ploughmen in the same district get wages in money and in kind equal to the average wages paid in this Province. It is not to the poor house, or to the districts where farms are small, that we must go for the skilled agricultural laborers which Britain can spare.



In the year '68, if I remember, the Reeve of the township of — sent to the Emigration Agent at —, a statement that fifty farm laborers could readily find employment in that township, "men with families preferred." The Agent was zealous, confident in the belief that "homes for all" could be found in Ontario. On the arrival of a large number of immigrants, committed to him by the Emigration Department for distribution in his agency, he made careful selection of a number of unmarried men and married men with families whom he despatched to —. On their arrival, of which timely notice had been given, some of the enterprising farmers in the neighborhood assembled at the "hiring," and bid for the "sturdy laborers" six to eight dollars a month with board. What was to be done with their families? They might live in rented rooms in the village, if any could be found. There was not one laborer's cottage in the neighborhood. A few of the unmarried men yielded to the pressure of "hard times," and hired. The married men wisely kept what money they had, and appealed to the charity of the Reeve of the village for support. After being fed for a day or two, no "homes for the homeless" appeared, and the married men left the place, not caring to trust their wives and little ones to starve or beg for one month while they earned for them a scanty subsistence through the next. The Reeve applied to the Emigration Agent for payment for the scanty bounty of the village to the immigrants.

Having a somewhat accurate knowledge of the wealth and resources of five townships which contain about eighteen hundred cultivated farms, the writer believes he is correct in his estimate that there are not more than thirty-six houses in this district inhabited by hired farm-laborers with their families. Two of these townships were settled sixty years ago. In two of them twenty thousand acres were held under timber license until within a few years ago, and the partial settlement of more remote townships encouraged. In one the township survey was incorrect, and was suffered to remain so for thirty years. In the rear of these five are two townships, partially settled, and in which an area of eighty square miles, or 50,000 acres, are withheld from settlement under timber license.

The front five townships would afford employment at various seasons of the year to five hundred laborers. The two rear townships would afford them homes. It is the policy of the Crown Lands Department to scatter pioneer colonists over an immense area in the hope, perhaps, that each settlement will form the nucleus, so to speak, around which will gather a large population. The hope has not been realized in the case of some settlements on the Colonization Roads; but, if it were otherwise, not even the plea that the most fertile land should be first selected for settlement should influence the location of settlements at points so remote from each other that there can be no substantial unity of effort in those two great public burthens of the Colonist, the construction of roads and the support of schools. At one hundred miles distance from market, the farmer has only the lumberman to look to for a purchaser of his produce. At forty miles distance he has the double benefit—of a market within one day's travel or a market at his door with the lumbermen. If within a day's travel of an old farming district, he has there an opportunity to earn good wages in spring, summer, and autumn, and at intervals to follow the clearing of his own farm. If settled on a timber lot he would, under a wise system, have an opportunity to earn a living on his own land during the winter.

View it how one may, there are but two ways open to make immigration meet in any way the demand for agricultural labor yearly growing upon us. In the peninsula and elsewhere in old townships farmers must build, at no inconsiderable expense, laborers' cottages, and set apart garden plots. In the neighborhood of towns the fuel consumed by a cottager's family during the winter and the suspension of all farm work where there is no chopping to be done, will make the charge of keeping married laborers on the farm very heavy. The only other way open, is to encourage by all possible means the settlement of every Crown Land lot in those townships which as yet contain but one-half of the population they are by nature fitted to support. Ireland pours forth from her small farms thousands of laborers to English and Scottish harvest fields. The writer

recollects that some eighteen or twenty years ago a number of poor Canadian farmers left their own small fields to help getting in the "groaning" wheat harvest of the Genesee Valley. He knows two of the number who would during last harvest have gladly paid the wages they earned in Genesee County for help to harvest the produce of their now extensive farms.

It is said that a gallant Glengarry man, remarkable for his blunt speeches, being asked, on his return from a visit to the cradle of his ancestors, what he "thought of it," replied, "the confounded country wasn't worth the taxes." Some such opinion prevails respecting a large part of Ontario. It has been created in no small degree by lumbermen, jealous of any encroachment on their preserves; disseminated by persons ignorant of the capabilities of the Laurentian country to sustain an immense cattle-and-sheep-grazing interest, and in some degree it has been justified by the blundering policy of scattering settlements over it at points so remote from each other that poverty and wretchedness seem to be the inevitable destiny of the people who inhabit them. As a rule only the poorest will seek land so generally thought poor that there is no competition for it. Respecting this country, a Government Emigrants' Guide-Book says:

"A grand old formation is the Laurentian, its mountains nowhere peaked but rounded *by the weather* during countless ages, and the hills along the spur just spoken of washed till they are bare, so that only near the thousands of lakes and lakelets which nestle among them and along the beds of turbulent little streams which connect these lakes, can any fertile lands be found."

The best contradiction to the statement of the Government scribe is the testimony of Sir Wm. Logan, Director of the Canadian Geological Survey. At page 5, of the General Report published in 1865, he gives the heights above sea level of some prominent points in the Laurentide Range in Canada, and remarks:

"As the various heights mentioned belong to points more prominent than the country surrounding them, it may not be giving too low an estimate of the general elevation of the Laurentide Range in Canada to call it from 1,500 to 1,600 feet. The surface which the range presents is of a mammillated character, its hills being worn *by glacial action* into round-backed forms, in general thickly clothed with wood, the prevailing trees on the summits being evergreens, in some parts chiefly pine, and in others spruce, while hardwood sometimes abounds on the lower elevations and in the valleys."

There is a notable contrast between the *weather-worn* hills washed bare, of the *timber-ridden* scribe of the Emigration Department, and the truthfully scientific description of Sir William Logan.

Let me give you a concise history of a township on the Laurentian formation. Its centre is thirty miles from market. It was granted, saving a few lots, to U. E. Loyalists before 1820. It was all sold, saving a few lots, for taxes in 1831, and again in 1843. It is plain the U. E. Loyalists thought as little of it as the Glengarry politician did of his ancestral home in the Scottish Highlands. A large Irish emigration had poured into the township before 1851, and at the taking of the census in that year it contained 410 occupiers of land, or heads of families, who had under cultivation 7,691 acres, or 19 acres to every family. The number of acres "held,"—a euphuism admissible where it could hardly be said of these squatters that they "owned" the land,—was 45,17±. In 1867 the number of occupiers of land was 822, and the numbers of acres assessed, 73,227. A large quantity of this land was bought on easy terms from the speculators who purchased at the tax sales, and of so little value was it deemed that I think I may safely hazard the assertion that not one of these titles has ever been impeached. This township, it will be observed, contains twenty per cent above the average number of rate-payers in any township in Ontario. I once heard a member of the Provincial Assembly berate the condition of the settlers in this

township in terms expressive of contempt for their poverty. I believe the most prosperous township in western Ontario cannot show a record as glorious as that of the famine-stricken Irish who by squatting, buying imperfect titles or otherwise, made this rocky township one of the most populous, and, I believe, one in which the freeholds are the least encumbered by mortgages of any in the Province.

It is not convenient to provoke the personal ardor of local criticism which always assails him who freely attacks deep-seated local prejudices. Having no special antipathy to any particular lumberman, municipal council, or other functionary or person, I omit such mention of places as might localize my attack. But being careful that my facts shall not lie, I turn to page 12 of the Census Report for 1851 and select a township on the Laurentian formation with fifty occupiers of land, having under cultivation about fourteen acres each, holding altogether about 6,000 acres. I know that in this township one ex-member of the Provincial Assembly owns 10,000 acres; another, I believe, about 2,000 acres. I know that there are 25 square miles under timber license. The township covers an area of about 60,000 acres. In 1867 it appears to assess about 32,000 acres and 190 ratepayers. Its centre is about thirty miles from a larger and better market than the township whose history has been sketched in the preceding paragraph. It has a better soil. It has, however, scarcely one-fourth of the population and not one-half of the quantity of tax-yielding land, and not one-fifth of the assessed wealth. The reason is: that township by virtue of its early grant to U. E. Loyalists was exempt from the operation of timber licenses; this township by the operation of timber licenses has excluded settlement. What will be the relative results ten years hence? That township will have fully as much wood land as this, and treble its population and wealth. I think it is fair to assume that all this is due to the blundering policy of the Crown Lands Department. I may be told that while settlement was being concentrated upon the poor lands of the former township, the latter had to

permit the tide of emigration to pass over it to townships in its rear. I turn to figures opposite the three townships continuously in its rear, and find that the total rate-paying population of the four townships is little more than one-half, and the assessed real and personal property not two-fifths of the value of that held in the township mentioned in the preceding paragraph, and this in the very teeth of the appropriation of free grant lots in three out of the four townships I have compared with that, in the settlement of which the Crown Lands' Department had neither part nor lot.

It cannot be gainsayed that to make the most of what the Almighty has given us, the "Laurentian formation" must be settled. Sir William Logan estimates its area in Upper and Lower Canada at 200,000 square miles. To publish it as unfit for settlement is to decry the country altogether. But what else could be looked for from the functionaries appointed by a body of representatives who have not among them one farmer to represent the interests of upwards of one hundred townships in the forest of Ontario one half of which are on the "grand old Laurentian formation."

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## CHAPTER VI.

### OPINIONS OF THE PRESS.

"A pretty story, certainly," say we on perusal of this bumptious little pamphlet. Where there is so much poetical quotation, there must of necessity be a good deal of fiction. Where the Hebrew Prophets are made to do service touching "fires in the woods," there must be smoke. And where a Carlylian paragraph with capital letters furnishes the preface there must be "rot." Upon the subject of a stupid blunder about arrears of taxes, a decision or two of the Court of Common Pleas upon the rights of lumbermen to wild hay found on their limits, and an improbable story of the treatment received by some married emigrants with their families at the village of —, the writer gets up a yelp which he lugubriously entitles "Hard Times in

Ontario." Touching the matter no more need be said; anent the manner, what other than it is drivelling?—*The Diurnal Hue and Cry*.

"We quote with hearty approval the well-pointed, pithy and pungent criticism of our great diurnal contemporary, "*Hue and Cry*."—*Highport Constitutional*.

"It needs but a casual investigation of the figures of the late census to determine beyond cavil the proper locality to which to assign this pretentious claimant for public attention. The seat of the scorner is by privilege given to the fool whose rashness leads him to grapple with questions he has not the capacity to apprehend, nor the ingenuity so to bedeck with sophistry that the worse shall appear the better reason. Inflamed by the puling nursery twaddle of 'Ginx's Baby,' this pamphleteer would have us believe that the pioneer colonist is not far removed in condition from the interesting pauper bantling whose miseries have given their author—Jenkins—an ephemeral notoriety. But the good sense of the people of Ontario is not to be hoodwinked by sham; nor can an effort to do the sensational for a man such as the pioneer colonist,—infinitely beyond this creature in sturdy activity and heroic independence,—enlist a single appreciative response in the breasts of the backwoodsmen of Ontario. It is well that the pamphlet comes before us in an anonymous shape, else we might have singled out for criticism some poverty-stricken lawyer whose stomach is more likely to be acquainted with slapjacks and rye bread than that of any the poorest bushwhacker in the Province. This class will not thank the would-be advocate of their interests for a sneer at fat pork, or the imperfect cookery of each man's 'old 'ooman.'" We commit him to the contempt of the class he has in vain essayed to serve.—*Oldtown Independent*.

"Having at length refuted the astounding change of tyranny preferred against the limitholders, we think it hardly necessary to ask: Can the timber on the public lands be sold by the Crown? Can the terms of the contract be made such as to protect the Crown against fraud and secure to the purchaser

the just measure of his purchase? Is a judge, in the interpretation of what is the law, not exempt from personal criticism on the tone of his judgment. Is the legislature of a free people to be coolly charged with the *prostitution* of its functions and caustically requested to proceed no further in its degradation? Opposed as we have been to the late Ministry in every particular of its corrupt administration of affairs, we cannot but believe that the New will give attention to the settlement of the interior and evince due earnestness in securing to the country a fair proportion of the tide of emigration. Criticism in advance of its policy is uncalled for, unprovoked and idle. In Mr. Scott the administration of the lands and timber domain of the Crown will have an able chief, holding those Conservative views which will make these sources of revenue meet their proper share of the public burden. In Mr. Mackenzie we have a 'man of the people,' wise in Council, but when popular liberty is assailed, an impassioned orator. Need we say that all who desire what is equitable for every class and all classes, may with safety look to the astuteness, the oratorical power and brilliant abilities of Mr. Edward Blake. The settlers whose lands are but partially paid for, the adventurous backwoodsmen who carry our nationality into the interior, need have no cause for apprehension. Their interests are in hands wisely guided by experience and due regard for the interests of the whole Province.--*Massinog Sun-Dial*.

"It will be News to many that the title which the Crown offers to the settler on free grant locations on fulfilment of settlement duties or upon payment for his land, is insecure. It will be likewise News that the distribution of local taxation in townships should be supervised by a court. It will surprise many that a simpler blunder in charging arrears of taxes where plainly no such charge could have been made, could work any man, not witless, any serious injury. To argue anything from so novel a case is futile. It called for no other redress than its mere mention to any intelligent municipal council. If there be councils not intelligent the fault or misfortune cannot be



charged to any defect in our excellent municipal institutions. Nothing can be gained by an attack upon the integrity and intelligence of so large a body of men as that composing the great municipal administration. The role of the Cynic is one no man can fill with any benefit to himself or the cause he espouses. The writer evidently mistakes his mission. It is *he* who patronizes the ululating spirit of a witless bushwhacker, no more a true specimen of his class than a hawk is like a handsaw. The pioneers of Ontario are hardheaded as well as hardhanded, and their thrift, good sense and general prosperity furnish *materiel*—facts that do not lie—in direct denial of the flimsy tissue of nonsense, sophistry and rant that fill the pages of this pamphlet.”—*Floridy Sawloggist*.

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## CHAPTER VII.

### POST-SCRIPT.

GENTLEMEN—I thank you for your courtesy. It is quite a pardonable offence to abuse the advocate of that cause of which you either know nothing, or, knowing anything, have the prudence not to impugn. You are also justified by the critical maxim :

“ Its proper power to hurt each creature feels—  
Bulls aim their horns and asses lift their heels.

Omit some powers given to municipal corporations which unwarrantably abrogate private rights, and our municipal institutions are excellent. I cannot find fault with the want of knowledge or temper in the men who manage them. More carefulness and less conceit would make such men, honoured by the public suffrages, more honorable still. But when carelessness works private wrong it would be criminal to defend it.

It is a great evil that there is any land in the country for which the owners will not pay rates. After five years non-payment of rates such land should be forfeited to the Crown, to be sold in trust for the public. Every man, especially every holder of property, should meet promptly his due to the general burden of taxation. The right to hold and occupy land exclu-

sively is a creation of the State. It should never be created, nor should its enjoyment ever be allowed in any way to interfere with the general benefit. The notion that land is property in the same sense that money is property, is a convenient fiction, at other times a foolish and injurious one. It is convenient for the purpose of assuring to the man who improves, by cultivation or other use, the exclusive enjoyment of his labor; but it is an injurious fiction when the possessor is allowed to keep the land idle, to hold it until surrounding improvement in which he labors not has made it valuable; above all, to hold it while withholding the proper quota of taxation.

Of the millions of acres in Ontario, granted to U. E. Loyalists on conditions of settlement, the conditions were never fulfilled over an immense area. Speaking roundly, for no return has ever been made concerning the matter, upon a million of acres or more the grantees paid no taxes, and these lands were sold. They became valuable under the hands of improving purchasers. Suit after suit was brought to set aside the sales. Frauds, blunders of officials, legal quibbles, and blunders even in the law itself, bid fair to disturb the titles and possessions of thousands. A remedial act was passed. The titles are confirmed or the possessions under them placed on an equitable footing, but the frauds, blunders and legal quibbles continue to arise,—thus for instance:

Brown, Jones and Robinson go fifty miles into the woods, select locations, fell trees, build shanties, make clearings, bring in their wives and little ones. They have hardly cleared an acre for each when the rumor comes that fifty miles farther in the interior better land is to be found. They inspect and verify, abandon their locations, and move to the new land of promise.

But the township assessor visited them before their departure and rated them for their land. When the collector comes he finds no rate-payers and returns the land as "non-resident." The assessor the following year uses his predecessor's book, assesses the unoccupied land, and the collector again returns the land in arrear for taxes. And this blunder is repeated from year to year.

Another band of settlers appear, and enter upon the abandoned locations. They remain and buy the land. The assessor sometimes gives notice of back-taxes due, sometimes not. The settlers expect a clear deed from the Crown. Eventually their land is offered for sale for taxes. By petition to the township council, running to and fro, seeking favor with the Reeve, seeking advice in this quarter, influence in that, the blunder may be corrected. It may not.

We have a Statute in the Ontario Statute Books which enacts that a purchaser of unpatented lands sold for taxes acquires no greater or other right against the Crown than the original purchaser or locatee. It is questionable if there was any necessity for such a Statute. It is a pretty piece of legislation, however,—evidence of zeal in the interest of Her Majesty's Crown and Dignity. At tax sales no information is given of what the original purchaser or locatee's interest is. You draw a prize or a blank in the land lottery. You may be entitled to a patent from the Crown, which the purchaser perhaps failed to get. You may find that the locatee's interest is buried beyond redemption in an accumulation of arrears of principal and interest.

In the business of settling the country between the Ottawa and Lake Huron there is a task before us very different from any hitherto undertaken. A fertile soil and a great stretch of navigable water rapidly developed the settlement of our shores of the St. Lawrence, Lakes Ontario and Erie, the Detroit River, and the southerly reaches of Lake Huron. After these influences came those of the railways of the Peninsula, running through a very fertile territory. The condition of the moneyless colonist of late years has everywhere been favorable. Employment at all seasons of the year, a market for everything that the soil produces, the neighborhood of schools and places of worship, have made his lot prosperous. It is true that men prospered in the early history of the country when many of these favoring conditions were unknown. We attempt now, however, to do by a leap what the early settlers did tentatively.

The area thrown open to settlement within the last twenty years is nearly as large as that which had been from time to time thrown open in the preceding fifty years. Had the demand for land in the latter area ceased or nearly so, a policy of extension would have been imperatively required. But so far from the demand having ceased, what is the case? Scores of townships, surveyed and offered for sale thirty years ago and upwards, are little more than half settled. Their further progress is a thing impossible so long as a score of new townships are brought into the market every year, and emigration to these encouraged. It will not do to let this matter "govern itself." It is indisputable that the farmers of the broken soils in the rear of many townships between Ottawa City and Peterboro are in more prosperous circumstances than those settled on any of the free-grant lands.

If instead of giving land away, instead of selling vast tracts to a speculating land company, the Crown had put all land in the partially settled townships into the market at twenty-five cents an acre and upon conditions of actual settlement, the face of a large part of the country would wear a different appearance to-day. The settlement of the interior would not have been one whit retarded. Pioneer settlers would now be passing into the forest, not in scattered communities, but as a mass, rapidly developing new tracts connected with the old settlements by good roads, and by business connection with established markets and centres of industry.

Much is hoped for the interior from the construction of railways. It would be futile to deny their influence in promoting settlement, but such influence as they may exert will be limited by the character of the country. If the united influences of the presence of water communication and the Grand Trunk Railway have not operated to extend settlement from the shore of the St. Lawrence to a point more than thirty miles inland, what have we to hope from the construction of railways through a country wonderfully broken by hills, and lakes, and unnavigable rivers. The lumber trade no doubt requires facilities for

transportation of the leading Canadian product. The railway will promote settlement, but how far? If in a level country its influence extends on either side not more than thirty miles, or one day's journey of a loaded team,—what will be the extent of its influence where wagon-roads cannot be built for less than fifty per cent in advance of their cost in a level country.

Roads, schools, churches,—without these no agricultural settlement can prosper. The first is of prime importance. Give that, and the last will follow. If in well settled townships it be a work requiring the energies of a large community to keep the concession roads and “forty foots” in anything like passable condition, what must be the condition of solitary settlements too poor to construct ways to market or mill, and doomed to imprisonment for seven months in the year until the first fall of snow liberates them.

The matter of Colonization must go hand in hand with efforts to promote the immigration of agricultural laborers. In old and wealthy communities of farmers, the task of keeping agricultural laborers when they come here must be left to the farmers themselves. The equalizing processes at work in the distribution of land and wealth in Ontario are yearly depriving wealthy farmers of such resource for help as they had hitherto in poor neighbors. In the immense competition for labor the farmer must rival his competitors, or he will find the influx of immigrants can afford but temporary aid. Long hours, low wages, want of laborer's cottages, yearly deprive us of immense numbers of much needed ploughmen, ditchers, builders of dry stone-walls, and other skilled workmen, much wanted in old settlements. These are matters which farmers must deal with. But the Government can do much to facilitate the settlement of farm laborers in an immense tract of country where they are needed, by giving attention to their location on unsettled lands in old or partially settled townships.

For the settlement of remote townships of an unusually broken character special efforts must be made. To expect laborers from England, Ireland or Scotland, accustomed to

work on tilled land, or in reclaiming bog or moor, to convert stony or rugged tracts into farming country is absurd. Of all men Norwegians are the best fitted for becoming Colonists over a very considerable part of Ontario. Their native land is like to ours in almost every feature. Hardy, frugal and industrious, their like is not to be found on the earth for capacity as woodmen and tillers of a broken country.

To plant the Standard of the Maple Leaf, foot by foot, in the fastnesses of the forest, to encourage the spread of that equality of conditions which hitherto has wrought above all other influences our prosperity,—let us devise liberal things in the certainty that by them we shall stand. To no task can high aims or keen intelligence be so profitably directed as in connecting by sure links the interests of the country to be settled with that already the abodes of civilized men. The railroad will do much, but beyond the influence of railways in power is that now established in the open farming lands—the reign of law and order, the spirit of enterprise, the love of agricultural pursuits, the activities of agricultural life and the spread of knowledge. These can exert influences immeasurably beyond those of railway enterprises if allowed to operate throughout the vast country lying between us and the almost inaccessible tracts appropriated for free grants.

Wrapt now in virgin snow, with a sheen upon it like that of the City which JOHN saw : a sky blue, so blue, above ; and thou—

“O Æther, enringing  
All eyes with the sweet common light of thy bringing”

what a pity it is that a blundering and short-sighted policy should mar the lot of any man in a land so beautiful and blest. What a pity it is that any man should have reason to say, by the folly of the Rulers, by the ignorance of officials, and through the indifference of the People to my condition, I am condemned all my life to Hard Times.

